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Chairman: Mr. Busacca ..... (Italy)

Contents

Agenda item 112: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*)

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The meeting was called to order at 3.15 p.m.

Agenda item 112: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/52/L.59, A/C.3/52/L.66, A/C.3/52/L.67, A/C.3/52/L.68, A/C.3/52/L.76, A/C.3/52/L.50, A/C.3/52/L.55 and Corr.1, A/C.3/52/L.57, A/C.3/52/L.60)

Introduction of draft proposals

Draft resolution A/C.3/52/L.59: Human rights and mass exoduses

1. **Mr. Lawrence** (Canada), introducing draft resolution A/C.3/52/L.59, said that Iceland, Japan and Norway had joined the sponsors. Three revisions had been made to the text: in paragraph 9, the phrase "to promote the coordination of" was replaced by "to coordinate"; in paragraph 14, the text beginning with the words "nevertheless, considering" to the end of the paragraph was deleted; and in paragraph 17, the word "with" was replaced by the word "including".

2. The purpose of the draft resolution was to underscore the importance of promoting the fundamental rights of those who fled their homes, villages and countries in mass exoduses and to protect them wherever they found refuge. The text was based on the conclusions of the World Conference on Human Rights. It recognized the importance of the machinery of the United Nations, particularly early warning systems, in the prevention of mass exoduses and the need for United Nations entities, in particular the Office of the High Commissioner for Refugees and the Office of the High Commissioner for Human Rights, to coordinate their activities aimed at protecting the rights of refugees and asylum-seekers. The resolution acknowledged the efforts made by States that were not parties to the 1951 Convention and its Protocol of 1967 and encouraged them to accede thereto. Lastly, the High Commissioner for Human Rights was requested not only to promote the coordination of human rights activities throughout the United Nations system, but also to pay particular attention to situations which threatened to cause mass exoduses. The Canadian delegation hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/52/L.66: Right to development

3. **Mr. Borda** (Colombia), introducing draft resolution A/C.3/52/L.66 on behalf of the Movement of Non-Aligned Countries, said that the text was based largely on the resolutions which had been adopted by consensus in previous years. In its preambular part, the draft resolution recognized that the right to development was universal and inalienable and that its full exercise must be guaranteed. In the operative part, it urged United Nations bodies, and in particular the Office of the High Commissioner for Human Rights, to take concrete measures to that end.

4. Intensive negotiations were under way among the various delegations with a view to the elaboration of a text which could be adopted without a vote. The Colombian delegation hoped that the parties concerned were aware of the importance of that resolution and that they would show flexibility in order to achieve a consensus.

Draft resolution A/C.3/52/L.67: Enhancement of international cooperation in the field of human rights

5. **Mr. Borda** (Colombia), introducing draft resolution A/C.3/52/L.67 on behalf of the Movement of Non-Aligned Countries, said that the text was based on the resolution which had been adopted the previous year. In its preamble, the draft resolution recognized that the enhancement of international cooperation was essential for the effective promotion and protection of human rights. In its operative part, it called upon Member States and intergovernmental and non-governmental organizations to carry out constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms. The text might be subject to some revision, since consultations were taking place among interested delegations. The Movement of Non-Aligned Countries hoped that the draft resolution would be adopted without a vote.

Draft resolution A/C.3/52/L.68: Situation of human rights in Cambodia

6. **Ms. Cath** (Australia), introducing the draft resolution, said that the international community fervently hoped for political stability in Cambodia. In that regard, the protection and promotion of human rights and fundamental freedoms, including the holding of free elections, were of paramount importance. The resolution noted the positive evolution of the situation in Cambodia, especially the assurances given by the Cambodian leaders to guarantee the return of political leaders and the role played by the United Nations in ensuring their security and permitting their unfettered resumption of political activity. She wished to announce that Costa Rica, Denmark, Liechtenstein, Luxembourg and Norway had joined the sponsors of the text. The sponsors hoped that the draft would be adopted by consensus.

Draft decision A/C.3/52/L.76: Award of human rights prizes in 1998

7. **The Chairman** said that by resolution 2217 (XXI) of 19 December 1966, the General Assembly had decided to establish prizes for outstanding achievements in the field of human rights. The prizes had been awarded for the first time on 10 December 1968, on the occasion of the twentieth anniversary of the Universal Declaration of Human Rights and had been granted since then every five years to winners who were selected by a special committee composed of the President of the General Assembly, the President of the Economic and Social Council, the Chairperson of the Commission on Human Rights, the Chairperson of the Commission on the Status of Women and the Chairperson of the Subcommission on Prevention of Discrimination and Protection of Minorities. Nominations were submitted by Member States, specialized agencies, non-governmental organizations in consultative status and by other appropriate sources. The assistance of the Secretary-General was available to the special committee at every stage of the process of selection. Between six and nine awards had been granted on each occasion.

Action on draft resolutions

Draft resolution A/C.3/52/L.50: Protection of United Nations personnel

8. **The Chairman** informed the Committee that the draft resolution contained no programme budget implications and recalled that Afghanistan, Angola, Belgium, Chile, Iceland, Kyrgyzstan, the Netherlands, the Republic of Korea, Samoa and the United Kingdom had been announced as sponsors during the introduction of the draft resolution. El Salvador, Israel, Panama, Swaziland, Turkmenistan, Ukraine and the United States of America had also joined the sponsors of the draft text.

9. *Draft resolution A/C.3/52/L.50 was adopted without a vote*

10. **Mr. Zmeevski** (Russian Federation) said that, in view of the humanitarian nature of the draft resolution, his delegation had not opposed its adoption, which was but the logical sequence of the efforts made to defend the life, honour and dignity of those who acted under the authority of United Nations operations in various parts of the world. In 1994, his delegation had actively participated in the adoption of the Convention on the Safety of United Nations and Associated Personnel. However, it had been unable to join the sponsors of the draft resolution because a number of concerns which it believed to be essential had not been taken into account during its elaboration. Those concerns related to the protection of United Nations and other personnel acting within the framework of United Nations operations in the territory of the host country with the express consent of that country (without which, moreover, it would be difficult to request the host country to take appropriate measures to protect such personnel). Paragraph 2 (a), in particular, could be more realistically formulated. It was not always possible in the course of United Nations operations to ensure that the rights of the personnel participating in them were fully protected. In paragraph 2 (b), paragraph 3 (b), (c), and (d), and paragraph 4 (e), a distinction should be made between violations committed by States and acts directed against United Nations personnel by illegal groups. Furthermore, the text of the draft resolution would have been strengthened by a reference to the cooperation of States in the prevention of illegal acts directed against such personnel, by such means as the exchange of information and the adoption of practical measures to prevent the perpetration of crimes within and beyond national borders. In discussing the protection of personnel against illegal acts, the persons to whom that concept applied must be clearly specified. The difference between the terminology used in the draft resolution and that used in the 1994 Convention was designed to draw attention to the need to protect persons who were not yet specifically protected by international law. That concern, however, was not even reflected in the title of the draft resolution.

11. His delegation hoped that the sponsors would take its comments into account when further texts on the protection of personnel acting under the authority of the United Nations operations were elaborated. Serious consideration should also be given to consolidating the various aspects of the question, which were considered both by the General Assembly and by a number of its Main Committees, into one cluster for consideration by the plenary Assembly only.

12. **Ms. Wahbi** (Sudan), speaking in explanation of her delegation's position, said that it had joined the consensus despite the lack of nuance in the draft resolution. While it was incumbent on States to ensure the protection of United Nations personnel working in their territory, it was also the duty of such personnel to respect the rules and provisions peculiar to the country to which they were assigned.

Draft resolution A/C.3/52/L.55 and Corr.1: United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights

13. **The Chairman**, after stating that the draft resolution had no programme budget implications and noting that

Belarus, Botswana, Canada, Côte d'Ivoire, the Republic of Korea, Sudan and Swaziland had become sponsors when the text had been introduced, said that Afghanistan, Benin, Cameroon, Croatia, Ethiopia, Greece, Guinea, Guinea-Bissau, Haiti, India, Kenya, Mali, Solomon Islands, Suriname, The former Yugoslav Republic of Macedonia and Uganda also wished to join the sponsors.

14. **Ms. De Wet** (Namibia) said that the Russian Federation and the Netherlands had also joined the sponsors of the draft resolution.

15. *Draft resolution A/C.3/52/L.55 and Corr.1 was adopted without a vote.*

Draft resolution A/C.3/52/L.57: Strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

16. **The Chairman** said that action on the draft resolution would be deferred.

Draft resolution A/C.3/52/L.60: National institutions for the promotion and protection of human rights

17. **The Chairman**, noting that the draft resolution had no programme budget implications and that Argentina, Austria, Bangladesh, Benin, Cameroon, Chile, Colombia, El Salvador, Ethiopia, Guatemala, Guinea-Bissau, Israel, Italy, Mali, Mongolia, Nepal, New Zealand, Niger, Nigeria, Panama, the Philippines, Portugal, the Republic of Moldova, Romania, Slovenia, South Africa, Thailand, Togo and the United States of America had joined the sponsors of the draft resolution when it had been introduced, said that Croatia, Micronesia (Federated States of), Poland, Sierra Leone, Sudan and Turkmenistan had also become sponsors.

18. **Ms. Newell** (Secretary of the Committee) read out the revisions to the text made orally by the representative of India during the introduction of the draft resolution: in the tenth preambular paragraph, after the words "Darwin, Australia, in July 1996," the following phrase should be inserted: "the Second European Meeting of National Institutions for the Promotion and Protection of Human Rights, held at Copenhagen in January 1997".

19. **Mr. Dlamini** (Swaziland) asked how the draft resolution could be said to have no programme budget implications when the Office of the High Commissioner for Human Rights was asking Member States to establish national institutions for the promotion and protection of human rights, which would require financial support from the United Nations.

20. **The Chairman** said it was his duty to announce whether each draft resolution had implications for the United Nations programme budget. It was then up to Member States to take decisions concerning the implementation of the resolution at the national level.

21. **Mr. Mukhopadhaya** (India) announced further revisions to the draft resolution: in the last line of paragraph 3, the words "human rights in accordance with" should be inserted after the words "in order to promote"; and, in the tenth preambular paragraph of the Spanish text, the word "Ombudsman" had been inappropriately translated by "*instituciones de mediación*" and should be left as "Ombudsman" for want of a better translation. He then announced that Antigua and Barbuda, Australia, the Russian Federation and Slovakia had become sponsors of the draft resolution.

22. **Ms. Monroy** (Mexico) said that the official title of the seminar held at Mérida (Mexico) was "Cuarto taller internacional sobre ombudsman y instituciones nacionales de derechos humanos", her delegation would like that to serve as a reference for the translation into the other languages.

23. *Draft resolution A/C.3/52/L.60, as orally revised, was adopted without a vote.*

Agenda item 112: Human rights questions (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/52/L.62, A/C.3/52/L.65, A/C.3/52/L.71, A/C.3/52/L.72, A/C.3/52/L.73; A/C.3/52/L.63)

Introduction of draft resolutions

24. **Ms. Newell** (Secretary of the Committee) announced that draft resolution A/C.3/52/L.69 had been withdrawn. The text was being revised and it would be introduced at a later date.

Draft resolution A/C.3/52/L.62: Situation of human rights in the Sudan

25. **Mr. Shapiro** (United States of America), introducing draft resolution A/C.3/52/L.62, said that the following countries had become sponsors: Australia, Belgium, the Czech Republic, Denmark, Finland, France, Greece, Ireland, Israel, Japan, Liechtenstein, Luxembourg, the Netherlands, Norway, Poland and the United Kingdom.

26. The serious violations of human rights in the Sudan were a continuing source of concern. As the Commission on Human Rights, in its resolution 1997/59, and the Special

Rapporteur of the Commission on Human Rights, had emphasized, summary executions, the forced displacement of persons, slavery and religious intolerance persisted in that country. Although the Government had made some efforts, it encouraged those violations. The international community should continue to urge the Government to take measures to improve the human rights situation, to cooperate with the Special Rapporteur and other United Nations bodies and to become a party to all the international human rights instruments. His delegation hoped that the resolution would receive wide support.

27. **Ms. Wahbi** (Sudan) said that, after having considered the draft resolution on the situation of human rights in the Sudan and consulted with the sponsors, her delegation regretted that the text did not reflect the real situation of human rights in the country. The habitual allegations of human rights violations which the draft resolution included, without any mention of the progress that had been made, were proof that the draft resolution was politically motivated and could not promote the noble cause of the protection and promotion of human rights. Her delegation had already presented its Government's position, after the introduction of the report of the Special Rapporteur, in a document which had been distributed to all delegations. She therefore appealed to all States not to support the draft resolution when it was put to a vote.

Draft resolution A/C.3/52/L.65: Situation of human rights in Rwanda

28. **Mr. Bochan** (Canada), introducing draft resolution A/C.3/52/L.65, said that the situation in Rwanda was a complex one and was of great concern to the international community. The resolution adopted on that matter should therefore be broad in scope. The consequences of the genocide in 1994, the current human rights situation and the activities of the Human Rights Field Operation in Rwanda deserved continued attention. Since the draft resolution did not fully reflect the views of the usual sponsors, negotiations were under way with a view to revising it. His delegation hoped that, as in previous years, the draft resolution would be adopted by consensus.

Draft resolution A/C.3/52/L.71: Situation of human rights in Iraq

29. **Ms. Kirsch** (Luxembourg), introducing draft resolution A/C.3/52/L.71 on behalf of the European Union and the sponsors, said that Costa Rica, Lithuania, the Marshall Islands and Poland had become sponsors.

30. The situation of human rights in Iraq remained a source of great concern since repression, torture and summary and arbitrary executions persisted. Iraq must abide by all its obligations under the international instruments to which it was a party and put an end to human rights violations. It must allow the Special Rapporteur to visit the country, put an end to the forced displacement of persons, cooperate with the Tripartite Commission to determine the fate of missing persons, cooperate in the implementation of Security Council resolutions 986 (1995) and 1111 (1997), and continue to facilitate the work of United Nations humanitarian personnel. Her delegation hoped that the draft resolution would be adopted without a vote.

31. **Mr. Al-Humaimidi** (Iraq) said that his delegation would state its position on draft resolution A/C.3/52/L.71 when it was put to a vote.

Draft resolution A/C.3/52/L.72: Situation of human rights in the Islamic Republic of Iran

32. **Ms. Kirsch** (Luxembourg), introducing draft resolution A/C.3/52/L.72 on behalf of the European Union and the other sponsors, said that Costa Rica, Lithuania and the Marshall Islands had joined the list of sponsors.

33. The human rights situation in the Islamic Republic of Iran continued to give rise to serious concern because violations of human rights such as torture, cruel, inhuman and degrading treatment or punishment, including stoning, amputation and public executions, continued to occur in spite of international norms. Religious minorities were still subjected to serious human rights violations; severe restrictions had been placed on the freedom to assemble peacefully and the freedom of expression. Cases of violence against Iranian citizens living abroad were particularly disturbing, and her delegation invited the Iranian Government to refrain from committing such acts, to cooperate fully with the authorities of other countries to investigate any offences brought to its attention, and to prosecute those responsible. Her delegation also invited the Iranian Government to take effective measures to eliminate violations of the fundamental rights of women and all forms of discrimination against them. The European Union had noted with interest the political changes which had taken place in the Islamic Republic of Iran and called upon the Government to cooperate fully with United Nations human rights mechanisms.

Draft resolution A/C.3/52/L.73: Situation of human rights in Cuba

34. **Mr. Winnick** (United States of America), introducing draft resolution A/C.3/52/L.73, said that the draft resolution focused on the continuing violations of human rights and fundamental freedoms in Cuba. It called upon the Cuban Government to cooperate fully with the Special Rapporteur by permitting him full and free access to establish contact with the Government and citizens of Cuba so that he could fulfil the mandate entrusted to him, to remedy human rights violations and to carry out the Special Rapporteur's recommendations to bring Cuba into conformity with international standards and human rights instruments. The large number of sponsors of the draft resolution reflected the broad support which it enjoyed, as well as the importance and universality of human rights; his delegation requested the Committee to give broad-based support to the draft resolution. Finally, he said that his delegation had learned with sadness of the death of Jorge Mas Canosa, a tireless defender of freedom in Cuba and elsewhere.

35. **Mr. Fernández Palacios** (Cuba) said that his delegation would comment on draft resolution A/C.3/52/L.73 at a later stage once it had made a thorough study of the document. Regarding the death of the individual referred to by the representative of the United States, his delegation found it unacceptable that the Committee should pay tribute to someone who for years had sought only to undermine Cuba and took exception to the mere mention of his name before the Committee.

Draft resolution A/C.3/52/L.63: Situation of human rights in Myanmar

36. **The Chairman**, noting that the draft resolution had no programme budget implications, recalled that Slovakia had joined the list of sponsors when the draft resolution had been introduced; Israel and Nicaragua had also joined the list of sponsors.

37. **Ms. Newell** (Secretary of the Committee) said that the following revisions had been made by the sponsors of the draft resolution: in the tenth preambular paragraph, the word "Noting" should be replaced by the word "Welcoming"; in the fourth and fifth lines of paragraph 4, the words "on 28 October 1997 in Mayangon Township" should be deleted; and in paragraph 18, the reference to "the International Committee of the Red Cross" should be replaced by the words "international humanitarian institutions".

38. **Mr. Rönquist** (Sweden) said that the correct wording of the revision made to paragraph 18 was "international humanitarian organizations". Canada had withdrawn from the list of sponsors; Australia, Costa Rica, France, Italy, Liechtenstein, Luxembourg, New Zealand, Poland, Portugal and the United Kingdom of Great Britain and Northern Ireland had joined the list of sponsors.

39. **Mr. Mra** (Myanmar) said that draft resolution A/C.3/52/L.63 ritualistically repeated many paragraphs from the previous year's resolution and only grudgingly mentioned the very real progress which had been made in Myanmar. It was obvious that the authors of the draft resolution all came from one geographical area, thereby clearly demonstrating the clash of their cultural values and traditions with those of Myanmar. The absence of Asian or African countries from the list of sponsors, was conspicuous, and his delegation was inclined to doubt whether the concerns expressed in the draft resolution were those of the international community. The allegations concerning ethnic groups were principally linked with difficulties resulting from Myanmar's colonial past and were based on dubious information. With the exception of the Karen National Union (KNU), the only armed group remaining outside the legal fold, the ethnic groups were actively cooperating with the Government to achieve national reconciliation.

40. Myanmar was committed to the principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, and as a matter of policy did not condone human rights violations.

41. The draft resolution was unbalanced, highly intrusive and politicized; it also attempted to stand up for a single individual and one political party out of many other legally registered political parties.

42. His delegation invited the Committee to refer to the memorandum on the situation of human rights in Myanmar contained in document A/C.3/52/5, which set out the real situation in the country.

43. The new elements in the draft resolution were also new and unsubstantiated allegations. The eighth preambular paragraph gave a lopsided picture of the situation because there were no restrictions on Daw Aung San Suu Kyi and members of the National League for Democracy (NLD) were not subject to arrest or harassment, although some NLD members had resorted to any means conceivable to create chaos. The Government was taking preventive measures to maintain public order and peace, but no measures had ever been taken against individuals engaged in peaceful activities. Myanmar likewise rejected the allegations concerning forced resignations of certain elected representatives.

44. The criticisms levelled in the eleventh preambular paragraph were based on information provided to the Special

Rapporteur by anti-Government sources and were quite unfair. Any member of the armed forces found guilty of murder or rape faced the death penalty; the eleventh preambular paragraph and paragraph 12 misrepresented the situation because no criminal enjoyed impunity in Myanmar. To suggest that such a privilege existed in Myanmar for Government agents was outrageous and totally unacceptable. His delegation categorically denied those allegations.

45. His delegation strongly objected to paragraph 1, which implied the absence of any cooperation between Myanmar and the United Nations. Myanmar had not yet precluded the possibility of a visit by the Special Rapporteur, and therefore it was presumptuous and highly objectionable to prejudge the action of its Government.

46. With respect to the activities of the National League for Democracy, paragraph 4 was unfounded because the Government had taken responsibility for the personal security of Daw Aung San Suu Kyi, and peaceful political activities were permitted.

47. With regard to paragraph 6, his delegation recalled that it was the Government which had taken the initiative to establish contacts with the NLD, but it had proven more and more difficult to continue those sincere efforts for further contacts with the League.

48. Myanmar would continue to cooperate with the United Nations in every possible way, and reiterated that the Secretary-General should act in a manner consistent with article 2, paragraph 7, of the Charter of the United Nations.

49. Paragraph 10 represented a blatant interference in the internal affairs of Myanmar, which would not accept any judgement on the National Convention, the political process which it had chosen. It was the National League for Democracy which had unilaterally withdrawn from the process and renounced its right to participate in the Government; his Government could not be held responsible. The National Convention was the only forum where dialogue was taking place among the national races, and its success was the national priority. His Government totally rejected the conclusion made in paragraph 10.

50. The demand made in paragraph 16 was unfair; his country rejected it, recalling that it had acceded to the Convention on the Rights of the Child in July 1991, well before several of the sponsors of the draft resolution.

51. His delegation dissociated itself from the draft resolution, which was totally unacceptable, and rejected all its negative elements.

52. **Mr. Zmeevski** (Russian Federation) asked the sponsors of the draft resolution to explain why they had replaced the words "International Committee of the Red Cross" in paragraph 18 with "international humanitarian organizations". The ICRC was an organization which had a specific mandate in international law, and in accordance with the decisions taken by the International Conference of the Red Cross and Red Crescent, to fulfil the functions mentioned in paragraph 18, of communicating with prisoners. The original wording of paragraph 18 appeared logical to his delegation because, as far as it was aware, no other humanitarian organization had the same mandate. His delegation would therefore like to know the legal basis to justify that change.

53. **Mr. Dlamini** (Swaziland) wondered if it was very realistic to expect to open jails to foreigners who would be authorized to come and inspect their operating conditions, and if it would be possible to visit jails in developed countries, which were never mentioned.

54. **Mr. Shapiro** (United States of America) said that his country had received a visit from the Special Rapporteur on extrajudicial, summary or arbitrary executions, who had gone to prisons in the United States of America. The Special Rapporteur on violence against women, including its causes and consequences, would visit prisons in the United States in the near future.

55. **Mr. Fernández Palacios** (Cuba) said that the delegation of the United States had forgotten to specify that no one in the United States had met with the Special Rapporteur on extrajudicial, summary or arbitrary executions. It had also forgotten to report the statements of Senator Jesse Helms on the subject of that visit. His delegation was prepared to provide further details if necessary. In any event, it fully shared the views expressed by Swaziland.

56. **Mr. Rönquist** (Sweden), returning to the amendment in question, said that it had already been proposed at a previous meeting when the draft resolution had been introduced. It was not a question of imposing an obligation but simply of stressing that it was important for Governments to authorize that type of organization to communicate freely with prisoners. His delegation hoped that the draft resolution could thus be adopted.

57. **Mr. Zmeevski** (Russian Federation) thanked the Swedish delegation for its comments, but was not convinced by that explanation. Given that there was no legal basis for the establishment of contacts between non-governmental organizations and prisoners, perhaps the formulation could be changed or the sponsors could be requested not to insist on maintaining that amendment. Since that text would establish a precedent, the question must be seen not only

from the narrow perspective of a draft resolution but also in a much broader context. The question required further consideration.

58. **Mr. Rönquist** (Sweden) said that he regretted that the delegations concerned had not spoken up earlier, and repeated that no obligation was being imposed on Myanmar. The reference to the International Committee of the Red Cross had been deleted at the request of the Committee itself, which had wanted a more neutral formulation.

59. **Mr. Xie** (China) said that many delegations had not been aware of that amendment and that his delegation found the comments of the representative of the Russian Federation to be highly relevant.

60. **The Chairman** confirmed that the amendments to the draft resolution A/C.3/52/L.63 had been announced when it had been introduced.

61. *The meeting was suspended at 4.50 p.m. and resumed at 5.10 p.m.*

62. **Mr. Rönquist** (Sweden) said that, after consulting other delegations, his delegation proposed to replace "the International Committee of the Red Cross" by "the competent international humanitarian organizations".

63. *Draft resolution A/C.3/52/L.63 was adopted as orally revised.*

64. **Mr. Giroux** (Canada) said that his delegation, while it approved the resolution contained in document A/C.3/52/63, regretted that it could not be a sponsor because of the oral revision. Canada was particularly concerned by the recent attempts of the Burmese Government to initiate talks with lower-level representatives of the National League for Democracy while that Government refused to meet with its Secretary General, Aung San Suu Kyi. His Government could not support contacts, as noted in the tenth preambular paragraph, which only reflected the constant efforts to reduce the popularity and influence of Aung San Suu Kyi. His delegation understood that the situation of human rights in Burma was improving and urged the military regime in Burma to observe the resolution and to cooperate fully with the international community.

65. **Mr. Aquarone** (Netherlands) said he regretted that, once again, his delegation had been unable to sponsor the draft resolution on the situation of human rights in Myanmar. The human rights situation per se was basically dealt with in paragraph 3, which merely "deplores the continued violations of human rights in Myanmar". However, in view of the title of the resolution, the resolution might also have "deplored" more specifically the practices of torture, abuse of women and children, forced labour, enforced disappearances and summary executions, which were carried out with complete impunity, as well as the violation of the freedom of expression, the right to a fair trial, and the protection of the rights of persons belonging to ethnic and religious minorities.

66. His delegation was seriously concerned about the Government's continued refusal to cooperate with the Special Rapporteur and deeply regretted the fact that the Special Rapporteur had still not been given permission to visit Myanmar.

67. His delegation would also have preferred that the resolution had urged the Government to open an unconditional political dialogue immediately and had requested the Secretary-General to report to the General Assembly on that issue at its fifty-third session.

68. It would have been desirable for paragraphs 7 and 21 of the resolution to have indicated that the Special Rapporteur should have access to any person whose testimony he might find useful. It was regrettable that such a reference had been deleted.

69. The mere fact that the resolution had been adopted without a vote reflected the consensus within the Committee. Whatever statements might be made by delegations before or after action on a draft resolution, any draft resolution adopted without a vote imposed an even greater duty on all Member States to ensure its implementation.

70. **Ms. Tan** (Singapore) said that the resolution had been adopted without a vote in previous years. Negotiations to reach a balanced text had never been easy, but they had been particularly complicated at the current session. There had been some positive developments in the country, although only some of them had been reflected in the text of the draft resolution.

71. It was also important that the resolution should reflect historical developments. It was therefore surprising that the text failed to mention Aung Sang Suu Kyi's unconditional release on 10 July 1995.

72. During the negotiations, it had become apparent that the delegations that had taken the most rigid positions and had the most abstract views on the issue were also those that were geographically the most distant from Myanmar. However, because of its geographical proximity, Singapore was aware of what was actually going on in Myanmar.

73. Her delegation welcomed the role played by the Swedish delegation in making it possible once again to reach consensus on the text. However, in order to continue to reach agreement on a balanced text in future, all delegations

should honestly think about the form they wished to give to the draft resolution.

74. **Ms. Saiga** (Japan) said that her delegation had joined in the consensus on the draft resolution because it expressed the international community's concern about the current situation in Myanmar and defined the goals to be attained in the field of human rights and democracy in that country. A number of positive and encouraging developments had occurred in Myanmar during the past year, and her delegation hoped that that trend would continue. Japan was ready to assist the Government of Myanmar in achieving those goals.

Agenda item 112: Human rights questions (*continued*)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*) (A/C.3/52/L.64)

Draft resolution A/C.3/52/L.64 on the comprehensive implementation of and follow-up to the Vienna Declaration and programme of action

75. **The Chairman** announced that the draft resolution had no programme budget implications and recalled that when the draft resolution had been introduced, the Bahamas, Belgium, Bolivia, Croatia, El Salvador, Finland, Malaysia, Pakistan, Panama, Poland, the Republic of Korea, Samoa, Spain, South Africa, Sweden and the United Kingdom had become sponsors.

76. **Ms. Newell** (Secretary of the Committee) recalled that the representative of Austria had orally revised the text of the draft resolution in his introduction. In the fourth line of paragraph 8, the words "in particular" should be replaced by "including".

77. **Mr. Theuermann** (Austria) announced that Andorra, Australia, Canada, France, Germany and the Russian Federation wished to become sponsors of the draft resolution. He then read out changes to the text. In addition to the revision noted by the Secretary, part of paragraph 100 of the Vienna Declaration and Programme of Action should be added to the end of the sixth preambular paragraph. The text would then read as follows: "(...), in which the World Conference on Human Rights, *inter alia*, requested the Secretary-General to invite, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, all States and all organs and agencies of the United Nations system related to human rights to report to him on the progress made in the implementation of the Vienna Declaration and Programme of Action". In order to make paragraph 10 clearer and bring it into line with the Vienna Declaration and Programme of Action, the word "requested" in the third line should be replaced by "invited"; after the word "programmes", the words "related to human rights" should be inserted.

78. The sponsors of the draft resolution and his delegation hoped that the Committee would adopt the draft text without a vote.

79. The Chairman announced that Azerbaijan, Bangladesh, Ethiopia, Guinea, Guinea-Bissau, India, the Marshall Islands, Portugal, Suriname and the former Yugoslav Republic of Macedonia had become sponsors of the draft resolution.

80. *Draft resolution A/C.3/52/L.64, as revised, was adopted without a vote.*

The meeting rose at 5.30 p.m.